

# Military Law Task Force

of The National Lawyers Guild



Statement by the Military Law Task Force of the National Lawyers Guild

To the public hearing of the National Commission on Military, National and Public Service (NCMNPS) at the Franklin Delano Roosevelt, Jr. Presidential Library and Museum, Henry A. Wallace Visitor and Education Center, Multipurpose Conference Room 4079, Albany Post Rd, Hyde Park, NY12538 on June 20, 2019.

Brigadier General Heck and members of the Commission, Congress, and the public:

We come to you speaking on behalf of our member attorneys, legal workers, barracks lawyers and law students, many of whom are engaged in legal advocacy on behalf of US military servicemembers who have been mistreated and abused by the US armed services. It is from our experiences as well as our collective political analysis, that we come here to express the following statement.

1. We are opposed to the failed policy of draft registration. The information gathered by the Selective Service through the registration program is often inaccurate and its collection serves little purpose other than to encourage a sense of over-obedience to the demands of our nation. We call for the immediate dissolution of the Selective Service System and the destruction of all data submitted by past applicants.
2. We are opposed to an expansion of draft registration to encompass women, because we oppose the draft for all people.
3. We share the concern of many that our current so-called "voluntary" military is in fact not voluntary, that the majority of those who enlist do so due to issues of economic duress. However, we do not support the use of a draft to ameliorate this issue, as history has shown that those with financial resources will find sufficient loopholes to avoid military service, as we know from the example of our President Trump's experience when he was of draft age. We believe that a better way to address the issues of social inequity with regards to military service is for our nation to: (1) immediately withdraw all troops from US military posts in the Middle East region and other "hot spots," (2) radically reduce the size of the US military through allowing servicemembers to seek and receive early discharges from military service, (3) end all coercive and abusive military recruitment policies including allowing 17 year olds to join the military, (4) actually enforce the medical standards for enlistment, and (5) redirecting the funds previously spent on the military to programs that will address our

nation's growing gap between the rich and the poor.

4. We believe that the growing buildup of forces in the Gulf Straits and the saber-rattling towards Iran and Venezuela illustrates the dangers of an over-sized military in bringing our world closer to a catastrophic global war. Conscription will make this danger worse.

5. While we respect the desire of many people (young and old) to serve humanity, we are opposed as a matter of principle to all forms of compulsory servitude. We believe that forced "service" is not voluntary at all, but rather is a form of slavery.

6. We commend those who have resisted draft registration as a matter of conscience and call for the immediate removal of all penalties for those who failed to register. No person should be denied their right to an education, a driver's license, government employment or the chance to become a US citizen because they refused to comply with the demands of the Selective Service.

7. As a matter of principle, our organization expresses its intention to work alongside other human rights organizations in providing legal support for those people who may face penalties for both failing to register for the draft as well as those who refuse to be inducted or perform alternative service in the event of a future draft.

## RESOLUTION OPPOSING SELECTIVE SERVICE AND THE DRAFT

Adopted December 13, 2019, by the National Lawyers Guild

Whereas the United States Congress appointed a commission to examine and hold hearings on the Selective Service System, conscription, draft registration and national service, and to report back to Congress;

Whereas, the Military Law Task Force of the National Lawyers Guild placed in the record of the National Commission on Military, National and Public Service commissioned by the United States Congress to hold hearings and create a report, at its hearing at the Franklin Delano Roosevelt Library at Hyde Park, New York on June 20, 2019, the following statement:

"To the public hearing of the National Commission on Military, National and Public Service (NCMNPS) at the Franklin Delano Roosevelt, Jr. Presidential Library and Museum, Henry A. Wallace Visitor and Education Center, Multipurpose Conference Room 4079, Albany Post Rd, Hyde Park, NY 12538 on June 20, 2019.

"Brigadier General Heck and members of the Commission, Congress, and the public:

"We come to you speaking on behalf of our member attorneys, legal workers, barracks lawyers and law students, many of whom are engaged in legal advocacy on behalf of US military servicemembers who have been mistreated and abused by the US armed services. It is from our experiences as well as our collective political analysis that we come here to express the following statement.

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"2. We are opposed to an expansion of draft registration to encompass women, because we oppose the draft for all people.

"3. We share the concern of many that our current so-called "voluntary" military is in fact not voluntary, that the majority of those who enlist do so due to issues of economic duress. However, we do not support the use of a draft to ameliorate this issue, as history has shown that those with financial resources will find sufficient loopholes to avoid military service, as we know from the example of our President

Trump's experience when he was of draft age. We believe that a better way to address the issues of social inequity with regards to military service is for our nation to: (1) immediately withdraw all troops from US military posts in the Middle East region and other "hot spots," (2) radically reduce the size of the US military through allowing servicemembers to seek and receive early discharges from military service, (3) end all coercive and abusive military recruitment policies including allowing 17 year olds to join the military, (4) actually enforce the medical standards for enlistment, and (5) redirecting the funds previously spent on the military to programs that will address our nation's growing gap between the rich and the poor.

"4. We believe that the growing buildup of forces in the Gulf Straits and the saber-rattling towards Iran and Venezuela illustrates the dangers of an over-sized military in bringing our world closer to a catastrophic global war. Conscription will make this danger worse.

"5. While we respect the desire of many people (young and old) to serve humanity, we are opposed as a matter of principle to all forms of compulsory servitude. We believe that forced "service" is not voluntary at all, but rather is a form of slavery.

"6. We commend those who have resisted draft registration as a matter of conscience and call for the immediate removal of all penalties for those who failed to register. No person should be denied their right to an education, a driver's license, government employment or the chance to become a US citizen because they refused to comply with the demands of the Selective Service.

"7. As a matter of principle, our organization expresses its intention to work alongside other human rights organizations in providing legal support for those people who may face penalties for both failing to register for the draft as well as those who refuse to be inducted or perform alternative service in the event of a future draft."

Now, the National Lawyers Guild declares its opposition

- to the continuation of draft registration, to conscription, and to mandatory national service, as a form of involuntary servitude,
- to the poverty draft resulting from the denial of job opportunities in the civilian economy, resulting in the channeling poor and minority youth into the military,
- to the law in Puerto Rico that automatically registers men over 18 with Selective Service when they apply for driver's licenses or identification cards,
- and to the use of United States military force to extend and protect United States imperial power,
- and pledges that together with other organizations, the Military Law Task Force will undertake to provide support to resisters within and outside the military.

Implementation: The Military Law Task Force will cause this resolution to be placed in the record of the Commission. and will undertake, along with other organizations, to provide support for military and civilian resisters.

Submitted by the NLG Military Law Task Force; [email@nlgmtf.org](mailto:email@nlgmtf.org), 619-463-2369

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